

REMARKS

Claims 1, 2, 4-6 and 11 have been amended. Claim 15 has been cancelled. No new matter has been introduced. Support for the amended claims and the new claims is found throughout the specification, claims, and drawings as originally filed. Twenty-two (22) claims are pending and remain for consideration. Reconsideration of the pending claims and further examination of the application is respectfully requested.

Request for Telephone Interview

Applicants submit that all the claims are novel and inventive and so are allowable. If the Examiner has any suggestions concerning different claim phraseology that, in the opinion of the Examiner, more accurately defines the present invention, **prior to issuance of another Office Action**, Applicants' undersigned attorney requests the courtesy of a telephone interview at the Examiner's earliest convenience to discuss the application. Applicants' undersigned attorney may be contacted at (419) 255-5900.

35 U.S.C. § 112

Claims 2, 6, 11 and 15 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Claims 2, 6 and 11 have been amended, as described hereinbelow. Claim 15 has been cancelled.

With respect to Claim 2, the Examiner stated that the phrase "is projected to be in when at the point of the target vehicle" confused the scope of the claim. The phrase was believed to be a run-on phrase that confused the limitations of the invention. Claim 2 has been amended, without prejudice or disclaimer, to address the Examiner's comments. In particular, Claim 2 has been amended to change the phrase "**at the point** of the target vehicle" to read "the host vehicle has traveled along the projected path by the distance to the target vehicle," which is clearly supported by Claim 1.

With respect to Claim 6, the Examiner stated that it was not clear what all is meant and encompassed by the phrase "**an edge detected pointing of lane**

**boundaries.**" Claim 6 has been amended, without prejudice or disclaimer, to change the phrase "configured to perform a transformation algorithm, to convert an edge detected pointing of lane boundaries" to read "configured to detect points in the image corresponding to lane markings and to convert the points corresponding to lane boundaries."

With respect to Claim 11, the Examiner stated that the phrase "comparing **that**" was unclear. Claim 11 has been amended, without prejudice or disclaimer, to change the phrase "comparing that" to read "comparing the path estimated by the vehicle path estimation apparatus."

These amendments should overcome the rejections under 35 U.S.C. § 112. Applicants respectfully submit that the requirements of 35 U.S.C. § 112 are met and the rejections of the claims on the basis of indefiniteness are overcome.

35 U.S.C. § 102

Claims 1-23 are rejected under 35 U.S.C. § 102(b), as being anticipated by U.S. Patent No. EP 0890470, to Sawamoto et al. This rejection is respectfully traversed.

Claim 1 recites a first data processing apparatus configured to **predict** a target lane in which a host vehicle will be located when it has traveled along a projected path by a distance to the target vehicle.

Sawamoto does not disclose data processing apparatus as recited in Claim 1. Instead, Sawamoto discloses a lane change detector that detects whether a lane change is **currently occurring** (see Applicants' arguments on pages 9 through 14 in the Amendment filed November 27, 2006 and on pages 9 through 11 in the Request for Reconsideration filed May 23, 2007).

Applicants wish to reiterate that Claim 1 recites a target lane that is a **prediction** of which lane the host vehicle will be located when it has traveled by a distance to a target vehicle along a projected path. This target lane is **compared** to the position of the target vehicle. In Sawamoto, no special consideration is paid to a host vehicle having traveled along a projected path by a distance to a target vehicle.

Sawamoto does not **predict** a target lane, as recited in Claim 1. Sawamoto discloses a target lane but the target lane is that in which a host vehicle is **instantaneously** changing. It is not a **prediction** of a lane in which a host vehicle will be located when it has travelled along a projected path by a distance to a target vehicle. Therefore, Sawamoto does not disclose the **prediction** of a target lane, as recited in Claim 1. It follows that Sawamoto does not disclose the **comparison** of a position of a target lane with a position of a target vehicle, also as recited in Claim 1.

Since elements of Claim 1, from which all of the other claims depend (directly or indirectly), is not taught by the Sawamoto (the only currently applied reference) there is an omission of an essential element required to establish a *prima facie* rejection of all pending claims under 35 U.S.C. § 102. Therefore, the claims are allowable over Sawamoto. Favorable reconsideration of the claims is respectfully requested.

CONCLUSION

In view of the foregoing remarks, it is believed that the Application is in condition for Allowance. Accordingly, a timely Notice of Allowance is respectfully requested.

Respectfully submitted,  
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